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10 Attorneys for Plaintiff
11 TIMOTHY CLEVELAND

12 IN THE UNITED STATES DISTRICT COURT
13 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 TIMOTHY CLEVELAND,
15 Plaintiff,

Case No. C09-2376 RMW
Civil Rights

16 v.

17 ISABELLA'S AT WHARFSIDE,
18 INC., dba ISABELLA'S
19 RESTAURANT; TENE SHAKE;
20 CITY OF MONTEREY; and DOES
21 1-10, Inclusive,
22 Defendants.

**ORDER GRANTING
PLAINTIFF'S REQUEST TO
STRIKE THE ANSWER OF
DEFENDANT ISABELLA'S AT
WHARFSIDE, INC., DBA
ISABELLA'S RESTAURANT**

**AND FOR ENTRY OF DEFAULT
AGAINST DEFENDANT
ISABELLA'S AT WHARFSIDE,
INC., DBA ISABELLA'S
RESTAURANT**

23 The Court having reviewed Plaintiff's Request to Strike the Answer of
24 Defendant Isabella's at Wharfside, Inc., dba Isabella's Restaurant and for Entry of
25 Default against Defendant Isabella's at Wharfside, Inc., dba Isabella's Restaurant,
26 IT IS HEREBY ORDERED that:

27 1. The Answer to the Complaint in this action filed by defendant Isabella's at
28 Wharfside, Inc., dba Isabella's Restaurant (Docket No. 9) is STRICKEN as to

ORDER GRANTING PLAINTIFF'S REQUEST TO
STRIKE DEFENDANT ISABELLA'S ANSWER AND FOR
ENTRY OF DEFAULT AGAINST DEFENDANT ISABELLA'S

CASE C09-2376 RMW

1 defendant Isabella's at Wharfside, Inc., dba Isabella's Restaurant (hereinafter
2 "Defendant Isabella's") only; and

3 2. Entry of Default shall be entered against Defendant Isabella's only.
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6 **IT IS SO ORDERED.**
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9 Dated: June 1, 2010
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14 Hon. RONALD M. WHYTE
15 UNITED STATES DISTRICT JUDGE
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28 ORDER GRANTING PLAINTIFF'S REQUEST TO
STRIKE DEFENDANT ISABELLA'S ANSWER AND FOR
ENTRY OF DEFAULT AGAINST DEFENDANT ISABELLA'S